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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,310	12/04/2003	Bion Bartning	60655.2300	1309

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FITZPATRICK CELLA (AMEX)  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER
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ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3628

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/707,310

Applicant(s)

BARTNING ET AL.

Examiner

Akiba K. Robinson-Boyce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/4/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Status of Claims*

1. Due to communications filed 12/4/03, the following is a non-final first office action. Claims 1-8 are pending in this application and have been examined on the merits. Claims 1-8 are rejected as follows.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1- are rejected under 35 U.S.C. 102(e) as being anticipated by Block et al (US 2003/0055689 A1), as cited by applicant.

As per claim 1, Block et al discloses:

providing a host system for facilitating formation of a travel plan, ([0048], lines 1-3, computer 2);

allowing access to the host system by a plurality of travel channels, wherein the plurality of travel channels includes an Internet, a telephone, and a physical travel office, ([0048], lines 4-6, Internet, [0049], lines 1-10, cell phone, kiosk);

receiving a travel booking for the travel plan by a first one of the travel channels, ([0051], user makes reservations via web page on personal computer);

associating the travel booking with a travel customer, (Claim 43, reserving travel services based on information received in the request and on the travel related information of the traveling member maintained in the central database);

storing the travel booking and customer data for the travel customer in a central repository, ([0010], lines 28-31, shows member's travel needs/preferences are stored in member's portfolio or profile, where profile is shown to be stored in the central memory as shown in [0118]);

receiving a travel change for the travel plan by a second one of the travel channels, wherein the second travel channel is different from the first travel channel, ([0074], lines 1-4, member changes travel plans by palm...kiosk, etc);

retrieving the travel booking and the customer data from the central repository, ([0010], lines 22-28, shows the analysis of travel requirements to make reservations best able to meet member's travel needs. Since member's travel needs/preferences are stored in member's portfolio or profile, [0010], lines 28-31, and the profile is shown to be stored in the central memory in [0118], it is inherent for the travel booking and customer data to be retrieved from the central repository in order to be analyzed);

servicing the travel change by modifying the travel booking to produce a modified travel booking, ([0074], lines 4-6, obtain a text confirmation in the form of a computer print out of travel change);

and storing the modified travel booking in the central repository, (inherent with [0074], lines 4-6, since any information in a text confirmation must be stored in order to

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actually send the text to the kiosk, in addition, [0159], shows kiosk is in communication with the central server [which contains central memory]).

As per claim 2, Block et al discloses:

connecting a plurality of travel vendor databases to the host system, (Claim 6, plurality of Web Pages providing information on a plurality of individual travel facilities).

As per claim 3, Block et al discloses:

further comprising the step of providing direct access to the host system for a plurality of external consumers, [0051], direct inputs).

As per claim 4, Block et al discloses:

further comprising the step of providing a plurality of travel offices, wherein each of the travel offices has access to the host system by said plurality of travel channels, (Fig. 2, kiosks).

As per claim 6, Block et al discloses:

wherein the step of receiving a travel booking comprises receiving a travel booking by an Internet travel booking request, and further comprising the step of automatically processing the travel booking request, (Claim 92, Internet accessed travel planning system for making travel arrangements via request).

As per claim 7, Block et al discloses:

wherein the travel booking comprises flight reservation information, hotel reservation information, and car rental information, (Claim 62, 64 and 66, flight, rental vehicle, hotel room).

As per claim 8, Block et al discloses:

further comprising the step of storing fulfillment information in the central repository for the travel booking, ([0012], data fulfilling members travel requirements are available or storage in members portfolio/profile, where profile is in central memory as shown in [0118]).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Block et al (US 2003/0055689 A1), as cited by applicant, as applied to claim 1 above, and further in view of Walker et al (US 5,897,620), as cited by applicant.

As per claim 5, Block et al does not specifically disclose the following, but does disclose the use of email to confirm membership enrollment for travel services in [0072].

However, Walker et al discloses:

wherein the step of receiving a travel booking comprises receiving a travel booking by an unformatted e-mail message, (Col. 5, lines 49-54, shows traveler contacts the travel agent by email). Walker et al discloses this limitation in an analogous art for the purpose of showing that the traveler uses email to provide a travel itinerary.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to receive a travel booking by an unformatted e-mail message with

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the motivation of allowing a user to utilize the available methods of communication to obtain travel services.


**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

A handwritten signature in black ink, appearing to read 'Akiba K Robinson-Boyce', written in a cursive style.

A. R. B.  
January 31, 2007